

BARNES & THORNBURG LLP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No. 23643

Group: 1657

Confirmation No.: 1287

Application No.: 10/775,647

Invention: Gastric submucosal tissue as a novel diagnostic tool

Applicant: Stephen Badylak, et al.

Filed: February 10, 2004

Attorney Docket: 3220-74581

Examiner: Vera Afremova

ELECTRONICALLY FILED
ON:
December 19, 2008

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This submission is in response to the phone interview Applicants' undersigned attorney had with the Examiner on December 11, 2008 and this submission is in response to the office action issued by the Examiner with a mailing date of November 19, 2008.

Applicants do not believe that any fees are required with this response. If any fees are required, the Commissioner is authorized to charge the same to the account of Barnes & Thornburg LLP, Deposit Account No. 10-0435, with reference to our matter 3220-74581.

The Claims begin on page 2 of this response.

The Remarks begin on page 4 of this response.